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**UNITED STATES DISTRICT COURT**

**CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**

RONEN HELMANN, CAMERON  
HIGBY, and JUDIT MAULL,

Plaintiffs,

vs.

CODEPINK WOMEN FOR PEACE, a  
California entity, CODEPINK ACTION  
FUND, a California entity, HONOR THE  
EARTH, a Minnesota entity, COURTNEY  
LENNA SCHIRF, and REMO IBRAHIM,  
d/b/a PALESTINIAN YOUTH  
MOVEMENT, and JOHN AND JANE  
DOES 1-20,  
Defendants.

CASE NO. 2:24-C-05704-SVW-PVC  
*Honorable Stephen V. Wilson*  
*Courtroom 10A*

**DEFENDANT HONOR THE  
EARTH'S OPPOSITION TO  
PLAINTIFFS' MOTION TO  
CONSOLIDATE**

Hearing Date: December 9, 2024  
Time: 1:30 p.m.  
Dept.: Courtroom 10A

**Complaint Filed: July 24, 2024**  
**Trial Date: Not Set**

**I. INTRODUCTION**

The numerous differences in fact and law present in this case, *Helmann v. CodePink, et al*, and the case of *StandWithUs Center for Legal Justice v. Codepink et. al*, prove that consolidation of the two actions is not justified. Specifically, the cases do not share any of the same plaintiffs or defendants, the *Helmann* case

1 raises causes of action not brought by *StandWithUs*, and the facts alleged in  
2 support of each case are distinguishable. In addition to the many legal and factual  
3 differences between the two cases, the procedural posture of the cases does not  
4 support consolidation as the defendants in each case have filed motions to dismiss  
5 which remain pending.

6 Consolidation will delay the progress of both cases, causing prejudice,  
7 confusion and burden both the parties and the Court. Plaintiff Helmann’s Motion to  
8 Consolidate should be denied.

## 9 II. STATEMENT OF FACTS

10 On August 20, 2024, Helmann filed a First Amended Complaint (“FAC”) by  
11 claiming that he is a religious Jew who resides in the Pico-Robertson Neighborhood  
12 of Los Angeles, California. Helmann claims that, on an unknown date, he was  
13 walking around his neighborhood when he encountered a group of unknown people,  
14 who are identified in the FAC as JANE DOES 1-3 and JOHN DOES 2 – 11. (Doc.  
15 15 at ¶¶ 8-10). Helmann saw JANE DOES 1-3 “walking from house to house,” that  
16 they “appeared to be taking pictures of houses with Mezuzahs” and that they “were  
17 marking the cars that they suspected were associated with houses with Mezuzah.”  
18 (Doc. 15 at ¶¶ 8-10). After observing the conduct of these unknown JANE DOES,  
19 Helmann started walking towards the synagogue and then saw JOHN DOES 2-11  
20 standing and blocking the entrance to the synagogue. (Doc. 15 at ¶¶8-10). Helmann  
21 saw that JOHN DOES 2-11 “had backpacks and bear spray.” (Doc. 15 at ¶¶ 8-10).  
22 JOHN DOES 2-11 approached Helmann, took his picture and yelled racial and  
23 ethnic slurs and comments to him. Helmann then went home, as he decided it was  
24 not safe to enter the synagogue. (Doc. 15 at ¶¶ 8-10).

25 The *Helmann* suit names as Defendants CodePink Women for Peace, a  
26 registered California entity and 501(c)(3) non-profit organization; CodePink Action  
27 Fund, a registered California entity and 501(c)(4) non-profit organization that is an

1 alter ego of CodePink Women for Peace; Honor the Earth (“HTE”) d/b/a/ Palestinian  
2 Youth Movement; Courtney Schirf and Remo Ibrahim, d/b/a/ Palestinian Youth  
3 Movement, and John and Jane Does 1 – 20. *Helmann* claims that Defendant HTE  
4 “does business as” the Palestinian Youth Movement and that the Palestinian Youth  
5 Movement coordinates fundraising through Defendant HTE. (Doc. 15 at ¶¶ 3-4).

6 *Helmann* brings claims against these defendants under the Freedom of Access  
7 to Clinic Entrances Act of 1994, 18 U.S.C. 248(a)(2); conspiracy to to interfere with  
8 Civil Rights under the Ku Klux Klan Act, 42 U.S.C. 1985(3); failure to prevent  
9 conspiracy to Interfere with Civil Rights under the Ku Klux Klan Act, 42 U.S.C.  
10 1986; and threatening and intimidating persons, California *Penal Code* Section  
11 423.2.

12 On October 14, 2024, Defendant HTE filed a Motion to Strike and to Dismiss  
13 for lack of personal jurisdiction and failure to state a claim. (Doc. 40, 40-1). As the  
14 HTE Motion states, the FAC fails to allege that HTE, which is a Minnesota  
15 registered nonprofit corporation, committed any act or omission inside, or having an  
16 effect in, the State of California. Further, the Motion points out that the FAC is  
17 devoid of any factual allegations that HTE committed any of the acts alleged or  
18 conspired to commit any of the acts alleged. Said motion remains pending before  
19 this Honorable Court.

20 On July 24, 2024, suit was filed in the matter of *StandWithUs v. CodePink*.  
21 The Plaintiff, StandWithUs, or SCLJ, is a tax-exempt membership organization  
22 which works to combat antisemitism through legal action. (*StandWithUs* Complaint  
23 at ¶ 6). SCLJ brought its Complaint on behalf of seven (7) of its members who sought  
24 to attend and/or did attend specific events at the synagogue on the date of the riot.  
25 (SCLJ Complaint at ¶¶ 6-7).

26 Unlike the *Helmann* case, the *SCLC* suit names as defendants CodePink, a  
27 non-profit entity with Section 501(c)(3) tax-exempt status in the United States; the

1 Palestinian Youth Movement, an unincorporated association without a formal  
2 principal place of business or publicly identified leadership structure; and WESPAC  
3 Foundation, a Section 501(c)(3) organization with its principal place of business in  
4 White Plains, New York, which is the fiscal sponsor of Defendant Palestinian Youth  
5 Movement.

6 SCLJ brings three (3) counts for threatening and intimidating persons in  
7 violation of 18 U.S.C. Sec. 248(a)(2) and one (1) count for threatening and  
8 intimidating persons in violation of Cal. *Penal Code* Section 432.2.

9 On, October 29, 2024, Defendant WESPAC filed a Motion to Dismiss the  
10 SCLJ Complaint for lack of personal jurisdiction and for failure to state a claim upon  
11 which relief may be granted. As stated within the Motion to Dismiss, WESPAC is  
12 a New York entity which SCLJ fails to allege did anything in California or engaged  
13 in conduct elsewhere directed at California residents. Further, the SCLJ Complaint  
14 completely fails to allege that anyone acting on WESPAC's behalf did anything in  
15 relation to the events described within the complaint. As such, SCLJ fails to allege  
16 any causes of action as against WESPAC. Defendant WESPAC's Motion to Dismiss  
17 remains pending before the Court.

### 18 III. ARGUMENT

#### 19 A. *Helmann* and *SCLJ* should not be consolidated because they lack 20 a common question of law or fact

21 To justify consolidation, cases should involve a common question of law or  
22 fact. See Fed.R.Civ.P. 42(a)(2); see also *Inv'rs Rsch. Co. v. U.S. Dist. Ct. for the*  
23 *Cent. Dist. of Cal.*, 877 F.2d 777, 777 (9th Cir. 1989).

24 As stated above, *Helmann* and *SCLJ* do not share any party in common.  
25 *Helmann* is brought by a singular plaintiff, a Jewish individual, who lives near the  
26 Adas Torah synagogue but who lacks any actual tie to said synagogue. *SCLJ*, on the  
27 other hand, is brought on behalf of seven (7) plaintiffs all of whom maintained actual

1 ties to the synagogue, ties which brought the seven (7) plaintiffs to the synagogue  
2 on the day of the riot.

3 Concerning the defendants, and contrary to *Helmann's* claim otherwise,  
4 neither case maintains any defendant in common. *Helmann* brings suit against  
5 defendants: Defendants CodePink Women for Peace, a registered California entity  
6 and 501(c)(3) non-profit organization; CodePink Action Fund, a registered  
7 California entity and 501(c)(4) non-profit organization that is an alter ego of  
8 CodePink Women for Peace; Honor the Earth d/b/a/ Palestinian Youth Movement;  
9 Courtney Schirf and Remo Ibrahim, d/b/a/ Palestinian Youth Movement, and John  
10 and Jane Does 1 – 20. *Helmann* asserts that Defendant HTE “does business as” the  
11 Palestinian Youth Movement and that the Palestinian Youth Movement coordinates  
12 fundraising through Defendant HTE.

13 On the other hand, *SCLJ* brings suit against CodePink, which is states is a  
14 non-profit entity with Section 501(c)(3) tax-exempt status in the United States; the  
15 Palestinian Youth Movement, an unincorporated association without a formal  
16 principal place of business or publicly identified leadership structure; and WESPAC  
17 Foundation, a Section 501(c)(3) organization with its principal place of business in  
18 White Plains, New York, which *SCLJ* claims is the fiscal sponsor of Defendant  
19 Palestinian Youth Movement.

20 While the defendants in the two cases are similarly named, a review of each  
21 Complaint demonstrates that *Helmann* and *SCLJ* actually bring suit against entirely  
22 different entities. Nothing within either Complaint demonstrates that CodePink  
23 Action Fund and CodePink Women for Peace, both California non-profits, are the  
24 same as CodePink, a United States non-profit. Likewise, *Helmann* alleges claims  
25 against two individuals, Courtney Schirf and Remo Ibrahim, who he claims are  
26 “d/b/a/ Palestinian Youth Movement.” *SCLJ*, on the other hand, directly brings suit  
27 against the Palestinian Youth Movement, without any claims against either Schief

1 or Ibrahim. Further, while *Helmann* claims that Defendant HTE was the fiscal  
2 sponsor of the Palestinian Youth Movement, *SCLJ* makes no allegations against  
3 HTE and instead asserts that WESPAC was the fiscal sponsor for the Palestinian  
4 Youth Movement. Finally, unlike *SCLJ*, *Helmann* alleges claims against John and  
5 Jane Does 1 – 20, making specific factual allegations against these DOES as the  
6 foundation of many of the claims.

7 In addition to the different parties, these cases bring separate and distinct  
8 causes of action. *Helmann* asserts claims under claims for conspiracy to to interfere  
9 with Civil Rights under the Ku Klux Klan Act, 42 U.S.C. 1985(3) and for failure to  
10 prevent conspiracy to Interfere with Civil Rights under the Ku Klux Klan Act, 42  
11 U.S.C. 1986, which are not brought by *SCLJ*.

12 Clearly, the parties, facts, and legal issues in these two cases is dissimilar such  
13 that consolidation would be inappropriate.

14 **B. Consolidation is discretionary and should be denied**

15 Consolidation of cases under Rule 42(a) is discretionary. See Fed.R.Civ.P.  
16 42(a), see also *Galderma Laboratores LP v. Revance Therapeutics, Inc.*, No. 2:23-  
17 Civ-02879-FLA (C.D. Cal. Sept 19, 2024). “To determine whether to consolidate, a  
18 court weighs the interest of judicial convenience against the potential for delay,  
19 confusion and prejudice caused by consolidation.” *Sw. Marine, Inc. v. Triple A*  
20 *Mach. Shop, Inc.*, 720 F.Supp. 805, 807 (N.D. Cal. 1989); see also *Duffaydar v.*  
21 *Sonder Holdings Inc.*, 2:24-cv-02952-ODW (C.D. Cal. Oct 09, 2024).

22 Consolidation of *Helmann* and *SCLJ* will unduly delay the progress of both  
23 cases. As stated above, Defendant HTE has a Motion to Strike and to Dismiss  
24 pending in the *Helmann* case. Likewise, Defendant WESPAC has a Motion to  
25 Dismiss pending in the *SCLJ* case. The issues raised in each such motion, that the  
26 Court lacks personal jurisdiction over the defendants and the Complaints fail to state  
27 claims upon which relief may be granted, will likely have a significant impact on the

1 future of each case. Given that resolution of these motions could result in the  
2 dismissal of multiple defendants and/or causes of action from each case,  
3 consolidation at this point is inappropriate.

4 Furthermore, given that the cases do not share a single party, that *Helmann*  
5 raises multiple claims not asserted in *SCLJ*, and differences in the factual basis for  
6 each case, consolidation will promote prejudice and confusion, and unnecessarily  
7 burden the Parties and waste judicial resources. As any judicial convenience to be  
8 gained by consolidating these cases is greatly outweighed by the potential for  
9 delay, confusion and prejudice resulting from such consolidation, Helmann's  
10 motion should be denied. See *Paxonet Commc'ns, Inc. v. TranSwitch Corp.*, 303  
11 F.Supp.2d 1027, 1028 (N.D. Cal. 2003).

#### 12 IV. CONCLUSION

13 Based on the foregoing, Defendant Honor the Earth requests that the Court  
14 deny Plaintiff Helmann's Motion to Consolidate.

15 Respectfully Submitted,  
16 **ZAVALA LAW GROUP, P.C.**

17  
18 /s/ Joe Inumerable  
19 JOE INUMERABLE, Esq.  
20 Attorney for Defendant  
21 HONOR THE EARTH  
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**PROOF OF SERVICE**

**STATE OF CALIFORNIA, COUNTY OF LOS ANGELES**

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is:

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On November 18, 2024, I served the foregoing document described as **DEFENDANT HONOR THE EARTH'S OPPOSITION TO PLAINTIFFS' MOTION TO CONSOLIDATE** on the interested parties in this action via CM/ECF system following the Central District of California Local Rules for service upon the parties listed below:

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Dated: November 18, 2024

Lauren Stiles

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